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Letter dated 9 August 2002 from the Permanent Representative of South Africa to the United Nations addressed to the President of the Security Council

I enclose herewith the text of the Peace Agreement between the Government of the Democratic Republic of the Congo and the Republic of Rwanda on the Withdrawal of the Rwandan Troops from the Territory of the Democratic Republic of the Congo and the Dismantling of the ex-FAR and Interahamwe Forces in the Democratic Republic of the Congo, signed in Pretoria, South Africa, on 30 July 2002 by President Kabila of the Democratic Republic of the Congo and President Kagame of the Republic of Rwanda (see annex).

It would be appreciated if it were circulated as a document of the Security Council.

(*Signed*) Dumisani S. **Kumalo**
Ambassador and Permanent Representative

02-51670 (E) 120802

Annex to the letter dated 9 August 2002 from the Permanent Representative of South Africa to the United Nations addressed to the President of the Security Council

[Original: English and French]

Peace Agreement between the Governments of the Democratic Republic of the Congo and the Republic of Rwanda on the Withdrawal of the Rwandan Troops from the Territory of the Democratic Republic of the Congo and the Dismantling of the ex-FAR and Interahamwe Forces in the Democratic Republic of the Congo

1. The Lusaka Ceasefire Agreement of 1999 sets out modalities for the tracking down and disarmament of ex-FAR and Interahamwe forces in the territory of the DRC. To date, it has not been possible to effectively implement the decisions relating to these armed groups.

2. The governments of the Democratic Republic of the Congo and the Republic of Rwanda have sought to find an expeditious manner of implementing these decisions.

3. The Parties acknowledge that there have been numerous attempts to implement agreements reached between them with regard to this matter. The Parties also acknowledge that the launch of the African Union, recent United Nations resolutions and the involvement of a third party present a window of opportunity to urgently resolve this matter.

   By third party, both parties understand this to refer to the Secretary-General of the United Nations and South Africa, in its dual capacity as Chairperson of the African Union and facilitator of this process.

   The Parties further acknowledge that the resolution of this matter will be a process and not an event.

4. The government of the Democratic Republic of the Congo reaffirms its stated legitimate right that the forces of the government of Rwanda withdraw from the territory of the DRC without delay.

5. The government of Rwanda reaffirms its readiness to withdraw from the territory of the DRC as soon as effective measures that address its security concerns, in particular the dismantling of the ex-FAR and Interahamwe forces, have been agreed to. Withdrawal should start simultaneously with the implementation of the measures, both of which will be verified by MONUC, JMC and the third party.

6. The Interahamwe and ex-FAR armed groups fled to various countries, including the DRC, after participating in the 1994 genocide in Rwanda. The DRC government states that it does not wish to have these armed groups present in the territory of the DRC. The DRC government does not want its territory to be used as a base for attacks against its neighbouring countries.

7. The DRC government is ready to collaborate with MONUC, the JMC and any other Force constituted by the third party, to assemble and disarm the ex-FAR and Interahamwe in the whole of the territory of the DRC.

8. In this regard, the Parties agree as follows:

8.1 The DRC government will continue with the process of tracking down and disarming the Interahamwe and ex-FAR within the territory of the DRC under its control.

8.2 The DRC government will collaborate with MONUC and the JMC in the dismantling of the ex-FAR and Interahamwe forces in the DRC.

8.3 The Rwandan government undertakes to withdraw its troops from the DRC territory, following the process outlined in paragraph 5. This will be according to measures as detailed in the implementation programme.

8.4 That MONUC, acting together with all relevant United Nations agencies, should be requested to immediately set up processes to repatriate all Rwandese, ex-FAR and Interahamwe to Rwanda, including those in Kamina, in coordination with the governments of Rwanda and the DRC.

8.5 The governments of the DRC and Rwanda would provide the facilitator of this meeting and the Secretary-General of the United Nations with all the information in their possession relating to these armed groups.

8.6 The third party will take responsibility for verifying whatever information received, through whatever measures deemed necessary.

8.7 The Parties agree to accept the verification report from the third party.

8.8 That the United Nations considers changing the mandate of MONUC into a peace-keeping mission.

8.9 MONUC should immediately proceed to implement Phase 3 of its DDRR and finalise its deployment in the DRC, especially in the eastern part of the territory.

8.10 The Parties agree that their respective governments would put into place a mechanism for the normalisation of the security situation along their common border. This mechanism may include the presence of an International Force to cooperate with the two countries, in the short term, to secure their common border.

8.11 That a bilateral team, facilitated by South Africa and the Secretary-General of the United Nations, work on a detailed calendar to implement this agreement.

8.12 Both Parties commit themselves to accepting the role and findings of the third party in the process of implementing this agreement, and further accept that the commitments and agreements reached in this Peace Agreement are binding.

Programme of Implementation of the Peace Agreement between the Governments of the Democratic Republic of the Congo and the Republic of Rwanda on the Withdrawal of the Rwandan Troops from the Territory of the Democratic Republic of the Congo and the Dismantling of the ex-FAR and Interahamwe Forces in the Democratic Republic of the Congo

The governments of the Republic of Rwanda and the Democratic Republic of the Congo, with the understanding that:

- The third party, defined in the main agreement as the Secretary-General of the United Nations and South Africa, in its dual capacity as Chairperson of the African Union and as facilitator, will, throughout the process of implementing the programme as agreed to by the parties, take authority over the management of the programme.
- The third party commits itself to continuously overseeing and verifying the processes that will be undertaken by both parties in the spirit of executing the commitments made in the Peace Agreement.
- The third party shall establish, for the purpose of overseeing and verifying the implementation of this programme, a Permanent Secretariat, to be determined by the third party.
- Both Parties further agree to commit themselves to accepting as final verification reports by the third party and consider this agreement to be binding.

hereby commit themselves to the following calendar of events:

Principle in Peace Agreement	*Activity*	*Time frame*	*Responsibility*
	Formal signing of the Agreement between Government of Rwanda and the DRC on the withdrawal of the Rwandan troops from the DRC territory and dismantling of the ex-FAR and Interahamwe forces in the DRC, in the presence of the United Nations Secretary-General and President Thabo Mbeki, Chairperson of the African Union.	D1	Governments of Rwanda and the Democratic Republic of the Congo and third party
5	Declaration of withdrawal by the Government of Rwanda on the basis of this agreement and the time-table thereof.	D1	Rwanda
	Rwanda to submit detailed plans/programme for withdrawal.	D5-10	Rwanda

Principle in Peace Agreement	*Activity*	*Time frame*	*Responsibility*
8.6	Establishment of the verification mechanism and implementation structure by the third party (in liaison with signatories, where necessary)	D5-90	Third party
8.5	Communication of information to the third party's verification structure on relevant matters by both parties, including information on ex-FAR and Interahamwe	D5-90	Rwanda and DRC
8.6	Verification process of information received begins	D10-90	Third party
8.9	Finalisation of MONUC Phase 3 deployment	D1-15	MONUC
7	Establishment and operationalisation of the assembly points for the holding of ex-FAR and Interahamwe, including securing of the assembly points in terms of MONUC and JMC processes	D5-25	MONUC, JMC and third party
8.6	Verification of the establishment and functionality of assembly points	D5-75	Third party
8.1	Tracking down, disarming and dismantling Interahamwe and ex-FAR leaders and troops	D10-90	MONUC, DRC, JMC, Rwanda[1] and third party
8.9	Movement to assembly areas of ex-FAR and Interahamwe and its leadership	D15-90	MONUC
	Verification/monitoring of dismantling and cessation of support to ex-FAR and Interahamwe	D10-90	Third party, JMC and MONUC
8.4	Repatriation of ex-FAR and Interahamwe forces	D30-90	Rwanda, DRC, MONUC and third party

[1] Rwanda's and DRC's participation will depend on the extent to which they control the areas related to the task, as determined by the Third party.

Principle in Peace Agreement	*Activity*	*Time frame*	*Responsibility*
5 and 8.3	Verification of process of repatriation	D30-90	Third party
5	Withdrawal of Rwandan troops	D45-90	Rwanda
8.6	Verification of process of withdrawal	D45-90	Third party and MONUC
8.6	Final verification process on completion of the 90 day Programme of Action	D90-120	Third party
	Submission of final report	D90-120	Third party
	Normalisation of relations between the two countries	D1-ongoing	DRC and Rwanda

(*Signed*) Joseph **Kabila**
President

For the Government of the Democratic Republic of the Congo

(*Signed*) Paul **Kagame**
President

For the Government of the Republic of Rwanda

(*Signed*) Thabo M. **Mbeki**
President of the Republic of South Africa

(*Signed*) Kofi **Annan**
Secretary-General of the United Nations

For the third party